

Jul 06, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATHAN LYNN CLOUD,

Defendant.

NO: 1:22-CR-2027-LRS-1

ORDER SETTING SENTENCING
SCHEDULE

On June 30, 2022, Defendant, accompanied by his attorney, Troy Lee, appeared and pleaded guilty in this matter. The Government was represented by Assistant United States Attorney Matthew Stone. Accordingly,

IT IS ORDERED that the date of the sentencing is **September 22, 2022 at 2:00 p.m.** in Yakima, Washington.

The United States Probation Office shall prepare a timely presentence investigation report that will comply with the following schedule:

1 1. On or before **August 8, 2022**, the probation officer shall disclose the
2 presentence investigation report to the Defendant, counsel for the Defendant, and
3 the Government.
4

5 On or before **August 18, 2022**, counsel shall communicate in writing to the
6 probation office any objections they may have as to factual errors or omissions;
7 sentencing classifications; sentencing guideline ranges; and policy statements
8 contained in or omitted from the report. Such communication may be oral initially
9 but shall immediately be confirmed in writing to the probation officer and
10 opposing counsel.
11

12 On or before **August 18, 2022**, counsel shall file and serve all motions and
13 memoranda pertaining to Defendant's sentence, including objections and motions
14 for downward or upward departures. **Sentencing memoranda shall be limited to**
15 **twenty (20) pages** (absent prior Court permission to file an overlength brief).
16 Responses to such motions shall be filed and served on or before **August 28, 2022**,
17 and **shall be limited to seven pages**, including attachments.
18

19 2. After receiving counsel's objections, the probation officer shall conduct
20 any further investigation and make any revisions to the presentence report that may
21 be necessary. The probation officer may require counsel for both parties to meet
22 with the officer to discuss unresolved factual and legal issues, and counsel shall
23 make themselves available for that purpose.
24

1 3. On or before **September 12, 2022**, the probation officer shall submit the
2 presentence report to the sentencing judge. The report shall be accompanied by an
3 addendum setting forth any objections counsel may have made, including those
4 that have not been resolved, together with the officer's comments and
5 recommendations thereon. The probation officer shall certify that the contents of
6 the report, other than sentencing recommendations, including any revisions or
7 addenda, have been disclosed to counsel for Defendant and the Government, and
8 that the addendum fairly states any remaining objections.
9

10 4. Except with regard to any written objection made under subdivision (a),
11 the report of the presentence investigation and computations shall be accepted by
12 the court as accurate. For good cause shown, however, the court may allow a new
13 objection to be raised at any time before the imposition of sentence. In resolving
14 disputed issues of fact, the court may consider any reliable information presented
15 by the probation officer, Defendant or the Government.
16

17 5. Nothing in this rule requires the disclosure of any portions of the
18 presentence report that are not disclosable under Rule 32 of the Federal Rules of
19 Criminal Procedure.
20

21 6. The presentence report shall be deemed to have been disclosed (1) when
22 a copy of the report is physically delivered; or (2) one day after the availability of
23 the report for inspection is orally communicated; or (3) three days after a copy of
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1 the report, or notice of its availability is mailed to counsel, whichever date is
2 earlier.

The District Court Executive is directed to enter this order and provide copies to counsel, the U.S. Marshals, and the U.S. Probation Office.

DATED July 6, 2022.


LONNY R. SUKO
Senior United States District Judge